



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

MAR 28 2017

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ronald Grannan, Facility Manager
 Industrial Container Services – OH, LLC
 1385 Blatt Blvd.
 Gahanna, Ohio 43230

RE: Administrative Consent Order EPA-5-17-113(a)-OH-3

Dear Mr. Grannan:

I have enclosed an executed copy of an Administrative Consent Order (“ACO”) between Industrial Container Services – OH, LLC (“ICS”) and the U.S. Environmental Protection Agency. The ACO resolves the September 22, 2016, Finding of Violation that was issued to ICS. Please note that we have changed the Order number from EPA-5-17-113(a)-OH-17 to EPA-5-17-113(a)-OH-3.

If you have any questions regarding the ACO, please contact Charles Hall of my staff at (312) 353-3443 or by e-mail at hall.charles@epa.gov.

Thank you for your cooperation.

Sincerely,

Brian Dickens, Chief
 Air Enforcement and Compliance Assurance Section Minnesota/Ohio

cc: Robert Hodanbosi, Chief, Division of Air Pollution Control
 Ohio Environmental Protection Agency

Kelly Toth, Manager, Division of Air Pollution Control
 Ohio Environmental Protection Agency, Central District Office

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region 5

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| In the Matter of: |) | EPA-5-17-113(a)-OH-3. |
| |) | |
| Industrial Container Services – OH, LLC |) | Proceeding Under Section 113(a)(3) of the |
| <u>Gahanna, Ohio</u> |) | Clean Air Act, 42 U.S.C. § 113(a)(3) |

Administrative Consent Order

1. The Director of the Air and Radiation Division, U.S. Environmental Protection Agency (EPA), Region 5, is issuing this Order to Industrial Container Services – OH, LLC (ICS) under Sections 113(a)(3) of the Clean Air Act (CAA), 42 U.S.C. §§ 7413(a)(3).

Statutory and Regulatory Background

2. Section 502(a) of the CAA, 42 U.S.C. § 7661a(a), provides that after the effective date of any EPA-approved state Title V permit program, it shall be unlawful for any person to violate any requirement of such a permit.

3. Pursuant to Section 502(d) of the CAA, 42 U.S.C. § 7661a(d), EPA approved Ohio's Title V operating permit program. 60 Fed. Reg. 42045 (August 15, 1995).

4. On July 22, 2014, the Ohio Environmental Protection Agency (Ohio EPA) issued a Title V operating permit to ICS.

5. ICS's Title V permit includes, among other requirements, requirements for Emission Unit N002, a thermal oxidizer that controls emissions from ICS's drum reclamation furnace.

6. On October 22, 2015, the Ohio EPA issued an administrative modification to the Title V permit to change the minimum combustion chamber gas exhaust temperature from 1,800 degrees Fahrenheit (°F) to 1,618°F for ICS's emission unit N002. Ohio EPA did not modify any other terms and conditions of the Title V permit for N002.

7. Section C.4.b)(2)a. of the Title V Permit and Section C.1.b)(2)a. of the October 22, 2015 administrative modification state:

Best Available Technology (BAT) for this emissions unit includes the use of a permanent total enclosure (PTE) for capturing the OC emissions from the drum handling building and drum furnace with the venting of the captured emissions from the drum handling building and the drum reclamation furnace to add-on organic compound (OC) emission controls which maintain a minimum destruction and removal (DRE) efficiency of 95 percent by weight. (The current OC emission control consists of a thermal oxidizer[.])

8. Section C.4.b)(2)c. of the Title V Permit and Section C.1.b)(2)c. of the October 22, 2015 administrative modification state:

The total enclosure shall meet the design requirements set forth in USEPA guidance document EPA/4-91-010, Method 204 unless otherwise approved in writing by Ohio EPA and USEPA as indicated in the guidance document.

9. Section 6.2 of Method 204, which applies to PTEs, states that “all VOC emissions must be captured and contained for discharge to a control device.”

10. Pursuant to Section 113(a)(3) of the CAA, 42 U.S.C. § 7413(a)(3), the Administrator of EPA may issue an order requiring compliance to any person who has violated or is violating a requirement in a Title V permit. The Administrator has delegated this authority to the Director of the Air and Radiation Division.

Findings

11. ICS owns a drum reclamation facility located at 1385 Blatt Boulevard, Gahanna, Ohio.

12. ICS is subject to the requirements in its Title V permit.

13. On September 22, 2016, EPA issued a Finding of Violation to ICS alleging that it violated a requirement in its Title V permit by failing to capture and contain for discharge to a

control device visible emissions from the drum reclamation furnace.

14. On November 14, 2016, representatives of ICS and EPA met to discuss the September 22, 2016 Finding of Violation.

15. ICS violated its Title V permit.

Compliance Program

16. By the effective date of this Order, ICS must achieve, demonstrate and maintain compliance with its Title V permit at its Gahanna, Ohio, facility.

17. In November and December 2016, ICS made changes to the drum reclamation furnace to ensure airflow is into the furnace's thermal oxidizer.

18. On December 24, 2016, ICS installed a second set of steam nozzles inside the drum reclamation furnace's cooling tunnel. The original set of nozzles is located 45 inches from the cooling tunnel's exit. The second set of nozzles is located 210 inches from the cooling tunnel's exit.

19. On November 25, 2016, ICS finalized an increase of the minimum speed of the thermal oxidizer's induced draft fan from 32 hertz to 35 hertz.

20. ICS shall operate the drum reclamation furnace's cooling tunnel and the thermal oxidizer's induced draft fan under the conditions set forth above in paragraphs 18 and 19 for the duration of this Order.

General Provisions

21. This Order does not affect ICS's responsibility to comply with other federal, state and local laws.

22. This Order does not restrict EPA's authority to enforce the CAA and its implementing regulations.

23. Failure to comply with this Order may subject ICS to penalties of up to \$44,539 per day for each violation under Section 113 of the CAA, 42 U.S.C. § 7413, and 40 C.F.R.

Part 19.

24. The terms of this Order are binding on ICS, its assignees and successors. ICS must give notice of this Order to any successors in interest prior to transferring ownership and must simultaneously verify to EPA, at the above address, that it has given the notice.

25. EPA may use any information submitted under this Order in an administrative, civil judicial or criminal action.

26. ICS agrees to the terms of this Order. ICS waives any remedies, claims for relief, and otherwise available rights to judicial or administrative review that it may have with respect to any issue of fact or law set forth in this Order, including any right of judicial review under Section 307(b) of the CAA, 42 U.S.C. § 7607(b).

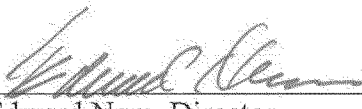
27. This Order is effective on the date of signature by the Director of the Air and Radiation Division. This Order will terminate 1 year from the effective date, provided that ICS has complied with all terms of the Order throughout its duration.

3-20-2017
Date



Ronald Grannan, Facility Manager
Industrial Container Services – OH, LLC

3/28/17
Date



Edward Nam, Director
Air and Radiation Division
U.S. Environmental Protection Agency, Region 5

CERTIFICATE OF MAILING

I, Dena Robinson, certify that I sent an original of Administrative Consent Order Number EPA-5-17-113(a)-OH-3 by Certified Mail, Return Receipt Requested, to:

Ronald Grannan, Facility Manager
Industrial Container Services – OH, LLC
1385 Blatt Blvd.
Gahanna, Ohio 43230

I also certify that I sent a copy of the Administrative Consent Order by First-Class Mail to:

Robert Hodanbosi, Chief, Division of Air Pollution Control
Ohio Environmental Protection Agency

Kelly Toth, Manager, Division of Air Pollution Control
Ohio Environmental Protection Agency, Central District Office

on the 28th day of March 2017

Dena Robinson
for Kathy A. Jones, Program Technician
AECAB, PAS

Certified Mail Receipt Number: 7011 1150 0000 2641 1855